

November 28, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: **VoIP E911 Compliance Report (November 28, 2005)**  
**Florida Digital Network, Inc. and Southern Digital Network, Inc.;**  
**WC Docket No. 05-196**

Dear Secretary Dortch:

Florida Digital Network, Inc. ("FDN") and Southern Digital Network, Inc. ("SDN") (together, "Companies"), through their undersigned counsel and pursuant to Commission Rule 9.5(f), as adopted by the Commission's *Order*<sup>1</sup> concerning the enhanced 911 ("E911") service requirements and conditions applicable to interconnected Voice over Internet Protocol ("VoIP") service providers, submits this Compliance Report ("Report") to advise the Commission of the status of the Companies' efforts to comply with the Commission's VoIP E911 Rules.<sup>2</sup>

Headquartered in Maitland, Florida, FDN and SDN provide business-class communication services throughout the Southeastern United States, serving more than 70,000 customers with over a quarter million telephone and Internet lines. The Companies are wireline carriers that utilize traditional circuit-switched technology for the provision of their voice and data services, with the exception of one business product in which Internet Protocol ("IP") is utilized as the transport mechanism to carry voice and data between the subscriber premise equipment and the

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<sup>1</sup> *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking 20 FCC Rcd. 10245 (2005) ("*VoIP E911 Order*").

<sup>2</sup> Pursuant to the Commission's prior Public Notices, the Companies have filed four status reports concerning the Companies' efforts to notify their customers of the limitations associated with the Companies' VoIP 911 service, and to obtain affirmative acknowledgments from those subscribers stating that they fully understand those limitations. These reports were filed in the above-referenced docket on August 10, 2005, September 1, 2005, September 22, 2005 and October 25, 2005, respectively.

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Companies' switches. The service cannot be operated nomadically because the equipment is a fixture at the subscriber premise and cannot be moved by subscriber.

As required by the Commission's rules, and consistent with the Public Notice issued by the Enforcement Bureau on November 7, 2005<sup>3</sup> (the "Public Notice"), this Report details the Companies' efforts to provide E911 service to customers in compliance with Commission Rule 9.5(b) and (c), and comply with registered location requirements of Commission Rule 9.5(d). As requested by the Enforcement Bureau in the Public Notice, the Companies state as follows:

**1) A quantification, on a percentage basis, of the number of subscribers to whom the Company is able to provide 911 service in compliance with the rules established in the *VoIP 911 Order*.**

The Companies are able to provide 911 service in compliance with the rules established in the *VoIP E911 Order* to 100% of their VoIP subscribers.

**2) A detailed statement as to whether the provider is transmitting, as specified in Paragraph 42 of the *VoIP 911 Order*, "all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized."**

The Companies are transmitting all 911 calls in accordance with Paragraph 42 of the *VoIP E911 Order*. As previously described, the Companies' VoIP service cannot be operated nomadically because the equipment is a fixture at the subscriber premise and cannot be moved by subscriber. The Companies route 911 calls of their VoIP customers in the same manner as 911 calls placed by other customers, except that IP is utilized as the transport mechanism to carry the call between the subscriber premises equipment and the Companies' switches. Thus, 911 calls placed by customers of the Companies' VoIP product are routed to the correct Public Safety Answering Point ("PSAP") in areas where Selective Routers are utilized.

**3) If the provider is not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, a detailed explanation why not.**

Not applicable. The Companies are transmitting all 911 VoIP calls to the correct answering point in areas where Selective Routers are utilized.

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<sup>3</sup> *Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 and 05-196, Public Notice, DA 05-2945 (rel. Nov. 7, 2005).

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**4) The number of Selective Routers to which the Company has interconnected, directly or indirectly, as of November 28, 2005.**

As of November 28, 2005, the Companies have interconnected to ten (10) Selective Routers either directly or indirectly.

**5) A detailed statement as to whether the provider is transmitting via the Wireline E911 Network the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.**

The Companies are transmitting via the Wireline E911 Network the 911 VoIP caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.

**6) The percentage of how many answering points within the provider's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits.**

To the Companies' information and belief, 100% of the answering points within the Companies' service areas are capable of receiving and processing ANI and Registered Location information transmitted by the Companies.

**7) The percentage of subscribers whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information**

100% of the Companies' subscriber ANI and Registered Location is being transmitted to answering points that are capable of receiving and processing this information.

**8) If the provider is not transmitting the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information, a detailed explanation why not.**

Not applicable. Please see the Companies' response to Item 7 above.

**9) To the extent a provider has not achieved full 911 compliance with the requirements of the *VoIP 911 Order* in all areas of the country by November 28, 2005, the provider should describe in detail, either in narrative form or by map, the areas of the country, on a MSA basis, where it is in full compliance and those in which it is not.**

As previously described, the Companies' VoIP product cannot be operated nomadically, and the Companies are in full compliance with the requirements of the *VoIP E911 Order* in those areas in which they provide their VoIP product, which includes the Atlanta, Tampa, Saint Petersburg, Jacksonville, Miami, Fort Lauderdale, Fort Myers and Orlando areas.

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**10) If not in full compliance, the Company's plans for coming into full compliance with the requirements of the *Order*, including its anticipated timeframe for such compliance.**

Not applicable. Please see the Companies' response to Item 9 above.

**11) A detailed description of all actions the provider has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location (including, but not limited to, relevant dates and methods of contact with subscribers and a quantification, on a percentage basis, of the number of subscribers from whom the provider has obtained the Registered Location).**

With respect to new VoIP subscribers, the initial Registered Location for each new subscriber is obtained either via telephone, e-mail or in-person and such information is included in Companies' Order Confirmation Document ("OCD") that is executed by both Companies and the new subscriber prior to the commencement of services. In addition to the subscriber's initial Registered Location, the OCD contains relevant information concerning the operation and limitations of E911 services in power outage situations. A copy of the OCD is provided to the subscriber for their records. The Companies have obtained initial Registered Location information for 100% of their new VoIP subscribers.

With respect to existing VoIP subscribers, the Companies' VoIP service cannot be operated nomadically. Thus, unless the customer premise equipment is physically uninstalled by Companies and moved to a new location at subscriber's request, the current Registered Location information in Companies' records remains the same as the initial location at which the service was installed. If customer premise equipment is physically uninstalled by Companies and moved to a new location at subscriber's request, the Companies update their records with the subscriber's new, current Registered Location information through the information in the Service Order. Thus, the Companies have initial and current Registered Location information for 100% of their existing VoIP subscribers.

**12) A detailed description of the method(s) the provider has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the provider is offering its subscribers at least one option for updating their Registered Location that permits them to use the same equipment that they use to access their interconnected VoIP service.**

As previously described, the Companies' VoIP service cannot be operated nomadically. A subscriber may not unilaterally move to another physical location or change its Registered Location and still receive the Companies' VoIP service. The only way for a subscriber to change the location in which the subscriber uses the Companies' VoIP service is to schedule a Service Order for the Companies to physically uninstall equipment in one location and move this equipment to an alternate location. The Service Order requesting such a change will detail the subscriber's new Registered Location information, as noted above.

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**13) A detailed description of any technical solutions the Company is implementing or has implemented to ensure that subscribers have access to 911 service whenever they use their service nomadically.**

Not applicable. As previously described, the Companies' VoIP service cannot be operated nomadically.

**14) A description of any automatic detection mechanism that enables the Company to identify when a customer may have moved his or her interconnected VoIP service to a new location and ensure that the customer continues to receive 911 service even when using the interconnected VoIP service nomadically.**

Not applicable. As previously described, the Companies' VoIP service cannot be operated nomadically.

Respectfully submitted,

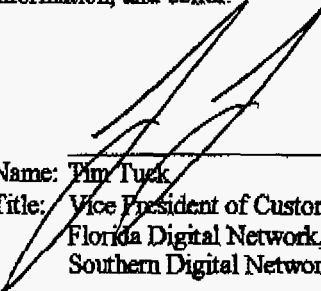
A handwritten signature in black ink, appearing to read "Wendy M. Creeden", followed by a horizontal line.

Russell M. Blau  
Wendy M. Creeden

Counsel for Florida Digital Network, Inc.  
and Southern Digital Network, Inc.

cc: Byron McCoy (FCC)  
Kathy Berthot (FCC)  
Janice Myles (FCC)  
Best Copy and Printing, Inc.  
Timothy Tuck (FDN/SDN)  
Allison Hicks (FDN/SDN)

I, Tim Tuck, state that I am Vice President of Customer Care of Florida Digital Network, Inc. and Southern Digital Network, Inc.; that I am authorized to submit the forgoing *VoIP E911 Compliance Report ("Report")* on behalf of the Companies; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.



Name: Tim Tuck  
Title: Vice President of Customer Care  
Florida Digital Network, Inc. and  
Southern Digital Network, Inc.